

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JAMES B. LaFRENTZ and ILA	)	
LaFRENTZ,	)	
	)	
Plaintiffs,	)	
	)	Case No. 4:18-CV-04229
v.	)	
	)	
3M COMPANY, et al.,	)	
	)	
Defendants.	)	

VIDEOTAPED DEPOSITION OF  
JAMES LaFRENTZ - VOLUME II  
Taken on Behalf of Plaintiffs  
November 15, 2018

Susan L. Law, CCR, CSR

1           A.    We were building mobile homes, of which  
2   they would bring a basically trailer base, which is a  
3   frame with tires on it, and we would build a single-  
4   wide or a double-wide unit up off that frame. The  
5   walls outside, a roof, inside, plumbing.

6           Q.    So this place you went to to build these  
7   mobile homes, was it a large outdoor facility, indoor  
8   facility?

9           A.    It was just a big flat land.

10          Q.    And where -- the supplies that were needed  
11   to build the mobile home, how were they staged?

12          A.    They were in what I call the warehouse.  
13   You would --

14          Q.    And how close to your worksite where you're  
15   actually building the mobile home is the warehouse?

16          A.    I'm guessing less than a hundred yards.

17          Q.    Okay. So who was the lucky person that had  
18   to go get all the materials to bring to the build  
19   site?

20          A.    Each trailer had a profile, and it told you  
21   whether it was pink walls or green walls. It told you  
22   what types of paneling, what types of flooring, what  
23   types of waterline, what types of sink, and what would  
24   go into this model. So all -- you had the detailed  
25   specs of that model available to you, and if you were

1           **A.    No.**

2           Q.    Where would you take your smoke breaks?

3           **A.    We'd have to go outside.**

4           Q.    As far as the 3M 8710 respirator, did you  
5 ever see any advertisements for that product?

6           **A.    No.**

7           Q.    What about any brochures?

8           **A.    No, I don't remember any.**

9           Q.    What about any literature?

10          **A.    Not that I remember.**

11          Q.    What about any warnings?

12          **A.    No, no warning.**

13          Q.    What -- did you ever see an instruction  
14 sheet with that 3M 8710?

15          **A.    No.**

16          Q.    Later on in your career at General Dynamics  
17 I understand that you held some security position  
18 where you were visiting vendor sites. Is that true?

19                   DEFENSE COUNSEL:  Objection.  Vague.

20          **A.    That's correct.**

21          BY MR. JUNG:

22          Q.    Were one of the facilities that you visited  
23 a 3M facility?

24          **A.    It was.**

25          Q.    How many -- how many times did you visit a

1 Q. Yes.

2 A. Okay. I would have to -- I don't -- I  
3 didn't keep a count of it, but I'd have to say over  
4 the period -- that three-year or so period, that I  
5 probably drilled a thousand or more panels.

6 (Court reporter asked for clarification.)

7 A. A thousand or more panels. Panels,  
8 coupons, whatever you want to call them.

9 DEFENSE COUNSEL: Move to strike those  
10 portions based on speculation because the question did  
11 call for speculation as well, and move to strike based  
12 on the objection grounds.

13 BY MR. SHUTTLESWORTH:

14 Q. And how many different types of panels or  
15 coupons were there?

16 DEFENSE COUNSEL: Objection. Beyond the  
17 scope of cross examination, asked and answered,  
18 leading, calls for speculation.

19 A. I dealt with three different shapes.

20 BY MR. SHUTTLESWORTH:

21 Q. Okay.

22 A. And whether or not they were the same stuff  
23 on the end or whatever with the panel each time, I  
24 have no idea.

25 Q. Okay. I believe you labeled them three

1 DEFENSE COUNSEL: Leading.

2 A. -- kind of a -- sometimes they were a  
3 yellow-ish color. They had different colors to it.

4 BY MR. SHUTTLESWORTH:

5 Q. Okay. Well, did they have different  
6 textures?

7 DEFENSE COUNSEL: Objection. Beyond the  
8 scope of cross examination, leading, compound, vague.

9 A. Yeah, they -- they looked a little bit  
10 different of the texture on -- on top of it sometimes,  
11 but, you know, I didn't pay any attention to that  
12 really.

13 DEFENSE COUNSEL: Move to strike those  
14 portions that are based on speculation and  
15 nonresponsive.

16 BY MR. SHUTTLESWORTH:

17 Q. The health hygiene report that counted the  
18 dust, do you remember what type of panel you were  
19 working on when they did the dust count?

20 DEFENSE COUNSEL: Objection. Beyond the  
21 scope of cross examination, leading, calls for  
22 speculation, calls for hearsay.

23 DEFENSE COUNSEL: And counsel testifying.

24 DEFENSE COUNSEL: And counsel's testifying.

25 A. My turn? What was the question?

1 BY MR. SHUTTLESWORTH:

2 Q. When they did the dust count survey, do you  
3 remember what type of panel you were working with when  
4 they did the count?

5 DEFENSE COUNSEL: One second, please. Same  
6 objections as previously stated.

7 A. Yes, sir. I was working on a strip --

8 BY MR. SHUTTLESWORTH:

9 Q. Okay.

10 A. -- at that time. A two-hole strip.

11 Q. And did you continue to work with the two-  
12 hole strips after that test was conducted?

13 DEFENSE COUNSEL: Objection. Beyond the  
14 scope of cross examination, leading.

15 A. Yes, I did.

16 MR. SHUTTLESWORTH: Okay. I think that's  
17 all the questions I have. Thank you, Mr. LaFrentz.

18 MR. RAMIREZ: On behalf of General  
19 Dynamics, there's no questions.

20 MS. YEE: On behalf of Lockheed Martin, I  
21 have no further questions.

22 MR. JUNG: On behalf of 3M, we have no  
23 further questions.

24 MR. RAMIREZ: So does this --

25 MR. SHUTTLESWORTH: I so move that this now

1 of your vehicles, do you know who manufactured those?

2 **A. I have no idea.**

3 Q. Mr. LaFrentz, it's my understanding that  
4 when you were in high school, you had some jobs during  
5 the summer doing some commercial construction work.  
6 Is that true?

7 **A. Yes, it is.**

8 Q. Okay. And was that primarily, at least  
9 from your end, demolition and clean-up work?

10 **A. Correct.**

11 Q. And would that involve cleaning up drywall  
12 materials?

13 **A. Yeah, I would suppose.**

14 Q. Would you have cleaned up from that  
15 construction site flooring materials probably?

16 **A. Probably.**

17 Q. What about roofing materials, is that  
18 something you would have cleaned up from that  
19 construction site?

20 **A. I don't remember ever dealing with any**  
21 **roofing.**

22 Q. And what about cleaning up insulation, is  
23 that something you would have helped clean up?

24 **A. I don't remember ever cleaning up any, but**  
25 **that would be my job, yeah.**

1           Q.    Okay.  And it's -- is it fair to say that  
2   because you were basically doing demolition and clean-  
3   up work, you don't know the brand names of any of the  
4   products that you cleaned up.  Is that true?

5           A.    **That's true.**

6           Q.    All right.  And then during another summer  
7   you worked as a steamfitter's apprentice.  Is that  
8   true?

9           A.    **Yeah.**

10          Q.    And this work was in the early 1960s in  
11   around -- in and around Austin, Texas; right?

12          A.    **That's correct.**

13          Q.    Okay.  And when you worked as a steamfitter  
14   apprentice, you had one large project that summer  
15   where you were primarily removing old -- old pipe and  
16   old insulation from a hospital basement.  Is that  
17   true?

18          A.    **Removing and replacing.**

19          Q.    Do you recall -- I think you might have  
20   said you didn't know earlier, but do you -- maybe it's  
21   come to you.  Do you know the name of anyone that  
22   worked with you on that job site as a steamfitter  
23   apprentice?

24          A.    **No.  There was one guy that worked with the**  
25   **company I did there, and I don't remember his name.**

1 How were those mobile homes to be heated, if you know?

2 **A. They had a -- either a gas panel heater or**  
 3 **a gas under-the-floor type heater that had a grate in**  
 4 **the floor, something that the heat came out of.**

5 Q. Did you ever have to install any type of  
 6 heat resistant materials or boards around the heaters  
 7 or around the ovens or appliances in those mobile  
 8 homes?

9 **A. I was not into that kind of carpentry work**  
 10 **with the --**

11 Q. All right. So if that happened, that would  
 12 have been somebody else who did that work?

13 **A. Correct.**

14 Q. Did you ever have to install any insulation  
 15 or were you ever present when anyone -- someone else  
 16 installed insulation on one of those mobile homes?

17 **A. I think I was around when they put**  
 18 **insulation in the walls, in between the outside and**  
 19 **the inside wall. I was in the area.**

20 Q. Do you have any idea the brand name, trade  
 21 name, or manufacturer's name of that insulation?

22 **A. No, I sure don't.**

23 Q. Did you do any welding work for -- while  
 24 you were work -- in your working years?

25 **A. All the welding work I've done is for me --**

1           **A.    Just leather-type gloves, work gloves.**

2           Q.    Did you ever work with or around any  
3   insulative blankets.

4           **A.    The kind you stuff in between walls?**

5           Q.    No, this is a little different.  I'm just  
6   trying to -- I'm just trying to short circuit stuff  
7   here.  It gets more confusing.  But, like, on a --  
8   either at -- either at the manufacturing facilities  
9   you worked at or any of the times you were working  
10   with metal, did you ever see any, like, heat-resistant  
11   or thermal blankets?  And if you don't know what I'm  
12   talking about --

13          **A.    I'm not sure what you're talking about.**

14          Q.    Okay.  Then that's enough.

15                Okay.  So let's jump ahead to General  
16   Dynamics.  I don't have a ton of questions here, but  
17   there were a few things I just wanted to clarify or --  
18   and, frankly, I'm really interested in your first five  
19   years there.  If we need to talk about after you went  
20   into security, we can, but that's the primary focus  
21   for me.

22                Let's see.  So if I -- if my notes are  
23   correct, when you -- from '79 to '81, that's when you  
24   worked as a drill press operator; is that correct?

25          **A.    '79 to '82.**

1 Q. '82?

2 A. July. I think on one of those sheets shows  
3 July 5th of '82 I moved to NC machine, machinist A.

4 Q. Okay. And then from '82 to '83 is that  
5 when you worked as the NC machinist?

6 A. Correct. I worked there for about two  
7 years and then transferred to special program  
8 security. Basically going from hourly to salary.

9 Q. All right. And if I wrote this down  
10 correctly, when you were working as a drill press  
11 operator, Bobby Powell, was he your direct supervisor?

12 A. I'm pretty sure that is the name of the guy  
13 that was our supervisor during that time.

14 Q. Okay. Do you recall the names of any other  
15 coworkers when you worked as a drill press operator  
16 besides Mr. Powell?

17 A. No, sir, I don't.

18 Q. When you hired on at General Dynamics, did  
19 you have to go through any type of new employee  
20 orientation?

21 A. Uh-huh. Yes, I did.

22 Q. Okay. How long did that last?

23 A. I think it was several days, if I remember  
24 correctly.

25 Q. Did that include any type of safety

1 training or safety discussions?

2 A. I really -- I don't remember exactly what  
3 all was discussed.

4 Q. Let me ask you this. Did the topic of  
5 asbestos come up during your new employee orientation?

6 A. Not that I'm aware of.

7 Q. Could you give us an estimate for how many  
8 employees were working at that General Dynamics plant  
9 at this time?

10 A. Oh, God. I don't know why I want to say  
11 this number. I may be way off, but I'm thinking  
12 16,000.

13 Q. Could you give us an estimate of how large  
14 this facility was? And whether you want to say  
15 football fields or city blocks, whatever's your best  
16 way to estimate it.

17 A. The Air Force Plant 4 is kind of an L-  
18 shaped building, and from the length, one end to the  
19 other, I never measured it, but they said it was one  
20 mile, and it was -- I think I was told that in the  
21 thin part it was 300 yards wide, and then it went down  
22 to the L part and that went out further.

23 Q. Did it have multiple stories?

24 A. Yes, it had more or less two stories, but  
25 that was mainly to facilitate the overhead crane, and

1           **A.    That's true.**

2           Q.    And just so I'm clear, you only did this  
3 work with the panels from when you started in '79  
4 until July of '82; is that correct?

5           **A.    That's the only time that I ever drilled**  
6 **these panels.**

7           Q.    What -- I don't know if we talked about  
8 this. What was the size of the drill that you used to  
9 go on the panels? Or I guess the hole, for lack of a  
10 better word -- for lack of a better --

11          **A.    If I remember correctly, it was a half inch**  
12 **drill bit. One-half inch.**

13          Q.    And was that the same or did it vary?

14          **A.    No, I'm -- I'm pretty sure even the large**  
15 **panels, the honeycomb, and the strips all had one-half**  
16 **inch holes in them. Either one-half inch or three-**  
17 **eighths, but it wasn't a real big hole.**

18          Q.    Sir, I'm almost done. I've just got a few  
19 more general -- general questions to ask you.

20               Well, actually, let me ask you this. It's  
21 my understanding that you have a document in your  
22 possession that you are claiming showed -- is it,  
23 like, an industrial hygiene air sampling test from  
24 your work at General Dynamics? Is that true?

25          **A.    That is true.**

1 Q. Okay. And it's my understanding that your  
2 work area was tested sometime in approximately 1980.  
3 Is that true?

4 A. Uh-huh.

5 Q. And that that record shows there was an  
6 excess level of asbestos in the air. Is that what  
7 you're representing?

8 A. That's what General Dynamics' reports show.

9 Q. Okay. Let me ask you this. After that was  
10 tested and you were provided that document, did you do  
11 anything to change your work habits or how you  
12 performed your work?

13 A. No, I didn't.

14 Q. Okay. What about anybody in your employer?  
15 Did anyone at the employer come in and change how the  
16 drill press operators worked or how the parts fab  
17 department operated?

18 A. Not that I remember.

19 Q. Did you share that record or report that to  
20 your union at all?

21 A. I don't think so. I wasn't really big on  
22 unions.

23 Q. Have you -- and this goes to your entire  
24 work career. Okay? This is beyond just General  
25 Dynamics. Have you ever worked at a location where

1 calls for expert testimony, one, and it calls for  
2 speculation. Sir, you can answer.

3 **A. Yes, I do.**

4 BY MS. DENNIS:

5 Q. Okay. How many times do you believe that  
6 happened during that over-three-year time period that  
7 you were drilling these panels?

8 **A. That I breathed this stuff in?**

9 MR. ZIMMERMAN: Same objections.

10 BY MS. DENNIS:

11 Q. Yes.

12 **A. I would have to say every time because**  
13 **every time I did it, we were drilling it dry and it**  
14 **was burning smell and created the fog.**

15 Q. Now, let me ask you this. We were looking  
16 at the document and we -- you read the FM^ -- FMS 3018  
17 was used as an adhesive. Does FMS 3016 -- I'm sorry,  
18 3018 mean anything to you at all?

19 **A. No.**

20 Q. Okay. So you don't know who supplied that  
21 material?

22 **A. I have no idea.**

23 Q. Do you know any of the names of the  
24 manufacturers who would have supplied the material  
25 that was made -- strike that.

1                   Do you know any of the brand name or  
2 manufacturer names of any of the materials that were  
3 used to assemble these panels, whether that be the  
4 composite material that you described or the adhesive  
5 material that you described?

6           **A.    When I was in security, I know one time**  
7 **that they used some material that we got from 3M**  
8 **working on a special project. Before that, no, I do**  
9 **not know of any particular.**

10           Q.    So during the time you were in parts  
11 fabrication from '79 to approximately '82, do you have  
12 any information about who supplied the component parts  
13 that made up these panels?

14           MR. ZIMMERMAN: Asked and answered twice  
15 now.

16           **A.    Nothing more than they stunk.**

17 BY MS. DENNIS:

18           Q.    Okay. All right. Do you know -- let me  
19 ask you this. Do you know whether or not there were  
20 other types used other than the FMS 3018, as far as  
21 the adhesives?

22           **A.    The only thing I know is that was used on**  
23 **the panel that was tested on the air quality.**

24           Q.    Okay.

25           MS. DENNIS: Okay. I think that's all the